

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DAVID ROHM,	)	Civil Action No. 18-1201
Petitioner,	)	Electronic Filing
vs.	)	Judge Cercone /
WARDEN, SCI FAYETTE, <i>et al.</i>	)	Magistrate Judge Mitchell
Defendants.	)	

**ORDER**

AND NOW this 30<sup>th</sup> day of October, 2018, after Petitioner filed *pro se* a petition for a writ of *habeas corpus* (ECF No. 4) and after a Report and Recommendation (ECF No. 5) was filed by the United States Magistrate Judge recommending dismissal of the petition and granting the parties a period of time after being served with a copy to file written objections thereto, and no objections having been filed, upon independent review of the motions and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that Petitioner's petition for writ of *habeas corpus* (ECF No. 4) is DISMISSED and, because reasonable jurists could not conclude that a basis for appeal exists, that a certificate of appealability is DENIED.

Finally, it is ORDERED that the Clerk shall mark this case as CLOSED.

DS Cercone

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David Stewart Cercone  
Senior United States District Judge

cc: David Rohm  
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(*Via First Class Mail*)